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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LEE DARNELL WATSON,

Plaintiff,

v.

CITY OF SAN JOSE, a government
entity; MATTHEW BRACKETT,
individually; RYAN HANSEN, individually;
RONALD HUGHES; and DOES 1-10,
inclusive,

Defendants.

Case Number: 15-cv-04054-NC

**STIPULATION AND ORDER TO STAY
PROCEEDINGS PENDING OUTCOME
OF CRIMINAL MATTER**

**THE PARTIES BY AND THROUGH THEIR RESPECTIVE COUNSEL HEREBY
STIPULATE AS FOLLOWS:**

1. Plaintiff's Complaint alleges several causes of action arising from an incident occurring on or about October 1, 2014 in San Jose, California. Plaintiff alleges the

Defendants used excessive force when taking him into custody. Plaintiff is currently facing criminal charges arising from this incident.

2. Based on the grounds that the pending State criminal charges resulting from the arrest of Lee Darnell Watson are inextricably related to the causes of action in this civil action, the lack of prejudice and reduced burden to the parties, and in the interests of judicial economy and the public, the parties stipulate that the entire civil action be stayed for 60 days. See *Keating v. Office of Thrift Supervision*, 45 F.3d 322, 324-25 (9th Cir. 1995); see also *Federal Sav. & Loan Ins. Corp. v. Molinaro*, 889 F.2d 899, 902 (9th Cir.1989). Specifically, the parties request that the court stay the entire civil action for a 60-day period based on information provided by Santa Clara County District Attorney's Office in the criminal matter.

The parties hereby seek a stay of the proceedings for 60 days as Plaintiff's state court criminal case is expected to resolve following the time not waived jury trial re-set for June 6, 2016. It is anticipated that some form of resolution will occur no later than by July 1, 2016.

Respectfully submitted,

Dated: May 12, 2016

RICHARD DOYLE, City Attorney

By: /s/ Shannon Smyth-Mendoza
SHANNON SMYTH-MENDOZA
Sr. Deputy City Attorney

Attorneys for Defendants

Dated: May 12, 2016

THE SEHAT LAW FIRM, PLC

By: /s/ Cameron Sehat
CAMERON SEHAT
Attorney for Plaintiff

1 I attest that Plaintiffs' counsel has read and approved this document, and given
2 consent to the filing of the same with the Court.

3
4 Dated: May 12, 2016

Respectfully submitted,

RICHARD DOYLE, City Attorney

5 By: /s/ Shannon Smyth-Mendoza
6 SHANNON SMYTH-MENDOZA
7 Sr. Deputy City Attorney

8 Attorneys for Defendants

9 **ORDER**

10 Good cause appearing the Court orders the entire civil action is stayed for a 60-day
11 period based on information provided by Santa Clara County District Attorney's Office in
12 the criminal matter. The parties are ordered to return to Court on August 24, 2016 at
13 10:00 a.m. Updated case management statement due August 17, 2016.

14
15 Dated: May 12, 2016

16 HON. NATHANAEAL M. COUSINS
17 UNITED STATES DISTRICT COURT

